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Via ECF

Honorable Karen B. Owens
United States Bankruptcy Court
District of Delaware
824 North Market Street
6th Floor, Courtroom 3
Wilmington, DE 19801

Re: FTX Trading Ltd. v. Meerun, Adv. P. No. 24-50198 (KBO)

Dear Chief Judge Owens:

We are counsel for Defendant Mohammad Nawaaz Meerun (“**Defendant**”) in the above-referenced adversary proceeding (“**Adversary Proceeding**”).

On March 28, 2025, there was a status conference (“**Status Conference**”) before Your Honor in the underlying Chapter 11 proceeding, Case No. 22-11068 (KBO). At the Status Conference, counsel for the FTX Recovery Trust represented that there were fully briefed motions to stay discovery in conjunction with pending *motions to dismiss* in three adversary proceedings, including this Adversary Proceeding. *See* March 28, 2025 Tr. 10:23-11:25. We were not in attendance as the Adversary Proceeding was not part of the agenda for that day, so we write on a minor point of clarification. Specifically, the motion underlying Defendant’s request to stay discovery (A.P.D.I. 15, 26, 27-28) is in the first instance a *motion to compel arbitration*. *See* A.P.D.I 11-13. The distinction between a motion to compel arbitration and a motion to dismiss is *not* a distinction without a difference here. Refusing to stay discovery prior to a determination on a motion to compel arbitration is tantamount to and “effectively denies” the motion to compel before it is heard—hence, the reason for the stay of discovery motion. *See Sarah Car Care, Inc. v. Logisticare Sols., LLC*, 2023 WL 5378845, at *2 (3d Cir. Aug. 22, 2023).

If Your Honor has any questions regarding this matter, we are available at the Court’s convenience.

Respectfully submitted,

/s/ Heath D. Rosenblat

Heath D. Rosenblat (admitted *pro hac vice*)

CC: All ECF Users